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No. 5221-4L-75/16252.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak in respect of the dispute between the workman and the management of M/s Technological Institute of Textiles, Bhiwani :—

BEFORE SHRI O. P. SHARMA, PRESIDING OFFICER, LABOUR COURT, HARYANA,
ROHTAK

Reference No. 102 of 1970

between

SHRI SANWAL RAM AND THE MANAGEMENT OF M/S TECHNOLOGICAL INSTITUTE
OF TEXTILES, BHIWANI.

Present.—

Shri Sagar Ram Gupta, for the workman.

Shri B. R. Ghai, for the management.

A W A R D

Shri Sanwal Ram, workman concerned was in the service of M/s Technological Institute of Textiles, Bhiwani. The following dispute between him and the management was referred for adjudication to this court,—*vide* order No. ID/ESR/20-69/3502-5, dated 27th January, 1970, of the Governor of Haryana, in exercise of the powers conferred by clause (c) of sub-section (i) of section 10 of the Industrial Disputes Act, 1947:—

“Whether the termination of services of Shri Sanwal Ram was justified and in order? If not, to what relief is he entitled?”

The parties put in their respective pleadings giving rise to the following issues:—

1. Whether the present dispute is not an industrial dispute because the reference is based upon the individual demand of the workman concerned?
2. Whether the workman had proceeded on leave on 1st and 2nd September, 1968?
3. Whether the workman reported for duty on 7th September, 1968 and thereafter continued presenting himself for duty during normal duty hours on every working day but he was not taken on work and thus his services were illegally terminated?
4. Whether the workman remained continuously absent from 31st August, 1968?
5. Whether the termination of services of Shri Sanwal Ram was justified and in order? If not, to what relief is he entitled?

The parties have led oral as well as documentary evidence and the case was fixed for arguments. It is, however, not necessary to go into the merits of the case and the issues involved as an amicable settlement has been arrived at between the parties. Their statements have been recorded.

According to the settlement, the management has to pay to Shri Sanwal Ram workman concerned 50 per cent of his wages for the period from 7th September, 1968 to 25th February, 1969 on the basis of earned wages for the preceding 6 months and he would be at liberty to collect the amount so due on any working day during working hours.

The award is accordingly made in terms of the above settlement arrived at between the parties but without any order as to costs.

Dated 14th May, 1975.

O. P. SHARMA,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 1195, dated 15th May, 1975.

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

O. P. SHARMA,
Presiding Officer,
Labour Court, Haryana, Rohtak.